
HOUSE CONCURRENT RESOLUTION

REQUESTING A MEETING ON THE IMPACTS OF MEDICAL MARIJUANA AS A
CASH CROP ON HAWAII'S AGRICULTURAL INDUSTRY.

1 WHEREAS, during the Regular Session of 2015, the Hawaii
2 State Legislature is considering bills to authorize the
3 establishment of medical marijuana dispensaries and production
4 centers in the State of Hawaii; and

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6 WHEREAS, specifically, House Bill No. 321, House Draft 1,
7 contains the following language on page 29, lines 8 through 11:

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9 " . . . Neither this section nor any
10 other law, county ordinance, or rule shall
11 prohibit the use of land for medical
12 marijuana production centers or dispensaries
13 established and licensed pursuant to part
14 of chapter 321."; and

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16 WHEREAS, the exact same language is also found in Senate
17 Bill No. 1302, Senate Draft 1, on page 25, lines 3 through 6;
18 and

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20 WHEREAS, this language ensures that once a medical
21 marijuana dispensary or production center is authorized and
22 licensed by the Department of Health, no county government could
23 prohibit the establishment of the medical marijuana production
24 center or dispensary through the enactment of zoning ordinances;
25 and
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1 WHEREAS, in addition, the foregoing language could be
2 interpreted to mean that no state law, including statutes
3 pertaining to the regulation of agriculture, land use, and
4 environmental protection could be used to restrict the
5 establishment and operation of a medical marijuana production
6 center or dispensary once it is authorized and licensed by the
7 Department of Health; and

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9 WHEREAS, neither House Bill No. 321 nor Senate Bill No.
10 1302 were referred to a subject matter committee with
11 jurisdiction on agriculture, water and land use, or
12 environmental protection; and

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14 WHEREAS, the establishment of medical marijuana production
15 centers and dispensaries have the potential to dramatically
16 change Hawaii's agricultural industry; and

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18 WHEREAS, from a public policy perspective, the Hawaii State
19 Legislature has attempted to transition the agricultural
20 industry from one that was dominated by sugar and pineapple, to
21 crops that would promote food self-sufficiency in the State; and

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23 WHEREAS, through tax credits, preferential procurement
24 practices for "locally-grown" crops, and state-sponsored
25 promotions, the State has worked tirelessly to diversify and
26 sustain agriculture during the closure of sugar and pineapple
27 plantations throughout the islands; and

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29 WHEREAS, however, should House Bill No. 321 or Senate Bill
30 No. 1302 be enacted with these exclusionary controls in place,
31 marijuana will likely become the next cash crop to dominate the
32 islands; and

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34 WHEREAS, what other crop can be sold at retail at
35 approximately \$1,500 to \$5,000 per pound? Macadamia Nuts?
36 Coffee? Tomatoes?; and

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38 WHEREAS, and let's not forget that marijuana is a
39 genetically modified crop that is constantly cross-bred to
40 increase its potency; and



1 WHEREAS, since county zoning agencies, the Department of
2 Agriculture, the State Land Use Commission, and the State
3 Commission on Water Resource Management all might not have any
4 say whatsoever on where the medical marijuana production centers
5 or distribution centers would be situated, potentially, there
6 would be no way of controlling their impacts to other farms or
7 commercial entities that would be situated nearby; and
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9 WHEREAS, particularly troubling would be the usage of water
10 and its impacts to watersheds and other locations that share
11 aquifers; and
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13 WHEREAS, as we have seen through the water usage by sugar
14 and pineapple plantations on the Ewa Plain, large water users on
15 the Leeward side of Oahu may potentially disrupt the flow of
16 water across the Koolau Mountains to the Waiahole and Waikane
17 Valleys; and
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19 WHEREAS, as the streams dry up, so will the o'opu and taro;
20 and
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22 WHEREAS, what do we tell those farmers on the windward side
23 of Oahu when fields of marijuana grow unfettered and
24 unchallenged on the leeward side?;
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26 WHEREAS, the same can be said for the Island of Maui, where
27 Maui Land and Pine is currently looking at biofuel crops to
28 transition its operations from sugar; and
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30 WHEREAS, why would anyone really look at a crop to burn for
31 energy when you can grow and sell medical marijuana at \$1,600 to
32 \$5,000 per pound?; and
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34 WHEREAS, again, because these bills were not referred to
35 any subject matter committee with expertise in agriculture,
36 water and land use, or environmental protection, none of these
37 impacts were considered by the Hawaii State Legislature; now,
38 therefore;
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H.C.R. NO. 137

1 BE IT RESOLVED by the House of Representatives of the
2 Twenty-eighth Legislature of the State of Hawaii, Regular
3 Session of 2015, the Senate concurring, that the Director of
4 Agriculture convene a meeting with the Chair of the State Land
5 Use Commission, the Chair of the State Commission on Water
6 Resource Management, and the Departments of Planning and
7 Permitting of the Counties of Hawaii, Kauai, and Maui, and the
8 City and County of Honolulu, to discuss the potential
9 ramifications of House Bill No. 321, Senate Bill No. 1302, or
10 any other proposal to authorize the establishment of medical
11 marijuana production centers or dispensaries; and
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13 BE IT FURTHER RESOLVED that if the parties should determine
14 that the enactment of House Bill No. 321, Senate Bill No. 1302,
15 or any similar legislation might jeopardize existing policy
16 concerning the promotion of sustainable agriculture, or
17 potentially threaten the viability of existing agricultural
18 businesses, the parties are urged to recommend to the Governor
19 that such legislation should be vetoed; and
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21 BE IT FURTHER RESOLVED that certified copies of this
22 Concurrent Resolution be transmitted to the Governor, the Chair
23 of the Board of Agriculture; the Chair of the State Land Use
24 Commission, the Chair of the State Commission on Water Resource
25 Management, and the Mayors of the Counties of Hawaii, Kauai, and
26 Maui, and the City and County of Honolulu.
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OFFERED BY: 

MAR 13 2015

